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SANDRA R. BROWN  
Acting United States Attorney  
THOMAS D. COKER  
Assistant United States Attorney  
Chief, Tax Division  
CHARLES PARKER (Cal. Bar No. 283078)  
Assistant United States Attorney  
Federal Building, Suite 7211  
300 North Los Angeles Street  
Los Angeles, California 90012  
Telephone: (213) 894-2740  
Facsimile: (213) 894-0115  
E-mail: charles.parker@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

## WESTERN DIVISION

**UNITED STATES OF AMERICA,**

Case No. 2:17-cv-03484 R (RAOx)

**Plaintiff,**

JUDGMENT AGAINST DEFENDANT  
WILLIAM "BIFF" NAYLOR

## WILLIAM "BIFF" NAYLOR, and EARLY CALIFORNIA RESTAURANTS INC.,

### Defendants.

Pursuant to the stipulation between plaintiff the United States of America and defendant William “Biff” Naylor (“Defendant”), and for good cause appearing,

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:**

A. Injunctive relief under 26 U.S.C. § 7402(a) and the Court's inherent equitable powers, is appropriate to stop the conduct described herein by Defendant.

B. A permanent injunction pursuant to 26 U.S.C. § 7402 is entered:

1. Prohibiting Defendant, individually and doing business under any other name or using any other entity, and Defendant's representatives, agents, servants,

1 employees, attorneys, successors in interest and assigns, and anyone in active concert or  
2 participation with Defendant, from failing to withhold and pay over to the IRS all  
3 employment taxes, including federal income and FICA taxes, required by law;

4           2.     Requiring Defendant to segregate and hold separate and apart from  
5 all other funds all monies withheld from employees or collected from others for taxes  
6 under any internal revenue law of the United States and to deposit the monies so  
7 withheld and collected, as well as the employer's share of FICA taxes, in an appropriate  
8 federal depository bank in accordance with the federal deposit regulations;

9           3.     Requiring Defendant, and any other individuals at a business  
10 controlled by Defendant, who are responsible for carrying out the duties established  
11 under paragraphs B(1) and B(2) above, for a period of five years from the date of an  
12 order, to deliver Electronic Federal Tax Payment System receipts to IRS Revenue  
13 Officer Alex Bautista, 751 Daily Drive, Camarillo, California 93010, or to such other  
14 specific location or person as the IRS may deem appropriate, no later than the twentieth  
15 day of each month, to show that the requisite withheld FICA tax deposits were timely  
16 made;

17           4.     Requiring Defendant to timely file all Form 941 employment tax  
18 returns to the assigned IRS Revenue Officer Alex Bautista, 751 Daily Drive, Camarillo,  
19 California 93010, or to such other specific location or person as the IRS may deem  
20 appropriate;

21           5.     Requiring Defendant to timely pay all required outstanding liabilities  
22 due on each return required to be filed herein; and

23           6.     Requiring Defendant to notify the IRS of future employment tax  
24 conduct with respect to any new or presently unknown company, including the  
25 imposition of an affirmative duty upon Defendant to notify Revenue Officer Alex  
26 Bautista, or such other person as directed by the IRS, in the future of any new company,  
27 including resuming any previous company that is now dormant, Defendant either may  
28 come to own, manage, or work for in the next five years.

1           C. Defendant is to deliver to all current employees a copy of the Court's  
2 findings and permanent injunction;

3           D. Defendant is to post and keep posted for five years in one or more  
4 conspicuous place, on each business premises he operates, where notices to employees  
5 are customarily posted, a copy of this Court's findings and permanent injunction;

6           E. It is further ORDERED that this Court will retain jurisdiction over this case  
7 to ensure compliance with this injunction, including authorizing the United States the  
8 ability to take post-judgment discovery to ensure compliance.

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10 Date: August 3, 2017

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13           MANUEL L. REAL  
14           United States District Judge

15           Respectfully presented,

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18           CHARLES PARKER  
19           Assistant United States Attorney

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